

Amendment and Response

Applicant: Peter G. Hwang et al.

Serial No.: 10/698,823

Filed: October 31, 2003

Docket No.: 200206327-1

Title: IMAGING APPARATUS WITH STOWABLE MEDIA TRAY

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed March 9, 2009, in which claims 1-7, 9-14, 19-25, 31-33, and 35-47 were rejected.

With this Amendment, claims 48-54 have been added, and claims 1, 19, 22, 31, 33, 35, 38, 39, and 44 have been amended to clarify Applicant's invention.

Claims 1-7, 9-14, 19-25, 31-33, and 35-54, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claims 19, 39-44, and 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Egashira et al. U.S. Patent No. 5,567,068.

Claims 1-7, 9-13, 31-33, 35-38, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egashira et al. U.S. Patent No. 5,567,068 in view of Kuelzer et al. U.S. Patent No. 5,426,456.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Egashira et al. U.S. Patent No. 5,567,068 in view of Kuelzer et al. U.S. Patent No. 5,426,456, and further in view of Khormaei et al. U.S. Publication No. 2003/0081101.

Claims 20-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Egashira et al. U.S. Patent No. 5,567,068 in view of Khormaei et al. U.S. Publication No. 2003/0081101. *[As this rejection is a combination rejection, Applicant assumes the Examiner intended the rejection to be a rejection under 35 U.S.C. 103(a) rather than a rejection under 35 U.S.C. 102(b).]*

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Egashira et al. U.S. Patent No. 5,567,068 in view of Khormaei et al. U.S. Publication No. 2003/0081101, and further in view of Ohata et al. U.S. Patent No. 5,217,215. *[As this rejection is a combination rejection, Applicant assumes the Examiner intended the rejection to be a rejection under 35 U.S.C. 103(a) rather than a rejection under 35 U.S.C. 102(b).]*

With this Amendment, independent claim 1 has been amended to clarify that **"the cover covers the first media tray and the second media tray when the first media tray and the second media tray are in the stowed position."**

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With this Amendment, independent claim 19 has been amended to clarify that the imaging apparatus includes **"a housing having an interior cavity and an opening to the interior cavity,"** wherein **"the first media tray and the second media tray extend through the opening when the first media tray and the second media tray are in the deployed position."**

With this Amendment, independent claim 22 has been amended to clarify that the method includes **"opening a lid that covers at least an interior cavity in a housing and an opening in the housing to the interior cavity," "rotating a first media tray pivotally connected within the interior cavity of the housing from a stowed position substantially within the cavity of the housing to a deployed position where the first media tray extends through the opening and is substantially outside the cavity of the housing,"** and **"rotating a second media tray pivotally connected within the interior cavity of the housing from a stowed position substantially within the cavity of the housing to a deployed position where the second media tray extends through the opening and is substantially outside the cavity of the housing."**

With this Amendment, independent claim 31 has been amended to clarify that the imaging apparatus includes **"a housing having an interior cavity and an opening to the interior cavity,"** wherein **"the first media tray and the second media tray extend through the opening of the housing when in a deployed position."**

With this Amendment, independent claim 38 has been amended to clarify that the imaging apparatus includes **"a housing having an interior cavity and an opening to the interior cavity,"** wherein **"the first media tray and the second media tray extend through the opening of the housing when in a deployed position."**

With this Amendment, independent claim 39 has been amended to clarify that the method includes **"pivoting a lid of an imaging apparatus from a closed position to an open position to reveal an opening and enable deployment of a first media tray and a second media tray through the opening,"** and **"rotating each of the first media tray and the second media tray from a stowed position to a deployed position, including extending each of the first media tray and the second media tray through the opening."**

Support for these amendments is provided in the Specification at least at, for example, page 3, lines 12-21; page 7, line 28 - page 8, line 4; Figs. 1 and 2; Figs. 4A-4F.

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With respect to the cited references, Applicant submits that these references, individually or in combination, do not disclose an imaging apparatus as claimed in independent claim 1 including, amongst other things and in the combination recited, a cover that covers the first media tray and the second media tray when the first media tray and the second media tray are in the stowed position. In addition, Applicant submits that the cited references, individually or in combination, do not disclose an imaging apparatus as claimed in independent claim 19, do not disclose a method as claimed in independent claim 22, do not disclose an imaging apparatus as claimed in independent claim 31, do not disclose an imaging apparatus as claimed in independent claim 38, and do not disclose a method as claimed in independent claim 39 including, amongst other things and in the combinations recited, an opening wherein the first media tray and the second media tray extend through the opening when the first media tray and the second media tray are in the deployed position.

Regarding the Egashira reference, the Egashira reference relates to a multifunction printer having scanning and printing functions. With reference to Fig. 3 of the Egashira reference, the multifunction printer of the Egashira reference includes a first paper tray 31 and a second paper tray 32 attached to one side surface of the device body, a first cover 34 located on the opposite side surface of the device body and a second cover 35 located in the device body inside of the first cover 34, and a paper discharge tray 36 located on the upper surface of the device body (see Egashira, col. 3, line 66 - col. 4, line 31).

As such, the Egashira reference provides that when the first cover 34 is opened, *"a first paper transfer path...is exposed to the outside and thus it is possible to remove jamming paper from the first paper transfer path if it exists,"* and provides that if the second cover 25 is opened after opening of the first cover 34, *"a second paper transfer path...is exposed to the outside and thus it is possible to remove jamming paper from the second paper transfer path [if] it exists"* (Egashira, col. 4, lines 14-24). Thus, the first cover 34 and the second cover 35 of the Egashira reference simply cover a first transfer path 39 and a second transfer path 40 (see Egashira, Fig. 3). The first cover 34 and the second cover 35 of the Egashira reference, however, do not cover the first paper tray 31, the second paper tray 32, or the paper discharge tray 36. The Egashira reference, therefore, does not disclose a cover that covers a first media tray and a second media tray when the first media tray and the second media tray are in a stowed position, as claimed in independent claim 1.

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Furthermore, as the first paper tray 31 and the second paper tray 32 of the Egashira reference are attached to one side surface of the device body, the first cover 34 and the second cover 35 of the Egashira reference are located on the opposite side surface of the device body, and the paper discharge tray 36 of the Egashira reference is located on the upper surface of the device body, the Egashira reference does not disclose an opening wherein a first media tray and a second media tray extend through the opening when the first media tray and the second media tray are in a deployed position, as claimed in independent claims 19, 22, 31, 38, and 39.

In view of the above, Applicant submits that independent claims 1, 19, 22, 31, 38, and 39, and the dependent claims depending therefrom, are each patentably distinct from the cited references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections under 35 U.S.C. 102 and 35 U.S.C. 103 be reconsidered and withdrawn, and that claims 1-7, 9-14, 19-25, 31-33, and 35-54 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-7, 9-14, 19-25, 31-33, and 35-54 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Steven Ormiston at Telephone No. (208) 396-2544, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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